

ORIGINAL

THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 051-16

A By-law of The Corporation of the Town of Innisfil to restrict outdoor water use.

WHEREAS, under Section 11(2) of the *Municipal Act, 2001*, a municipality may pass by-laws respecting matters within the sphere of jurisdiction of Public Utilities, and Public Utilities includes a system that is used to provide water services for the public; and

NOW THEREFORE the Council of The Corporation of the Town of Innisfil hereby enacts as follows:

PART 1 - DEFINITIONS

In this by-law:

Person: "person" includes a natural individual, corporation, association or partnership.

Town: "Town" means the Corporation of the Town of Innisfil.

Operating Authority: "Operating Authority" means InnServices Utilities Inc. or its successors.

Municipal Water: "Municipal Water" shall mean potable water supplied by the municipality.

PART 2 – STANDARD LAWN WATERING RESTRICTIONS

- 1) No person shall use Municipal Water from a hose, pipe, sprinkler or permanent irrigation system for the purposes of watering any lawn or garden except on a Designated Watering Day as follows:
 - i) Even numbered addresses may use water outdoors only on even numbered days of the month;
 - ii) Odd numbered addresses may use water outdoors only on odd numbered days of the month;
 - iii) Outdoor water use will only be permitted between the hours of 12:00 am to 9:00 am and 7:00 pm to 11:59 pm;
 - iv) These conditions shall be in place all year round.

PART 3 – STAGE 1 ADVISORY and STAGE 2 BAN and STAGE 3 EMERGENCY

- 1) Notwithstanding Part 2 of this by-law, in the event the President and CEO of the Operating Authority or his or her designate gives notice to the Town that a reduction in water use is necessary for the Municipal Water system, the following staged restrictions shall apply:
 - a) **STAGE 1 - Outdoor Water Use Advisory**
All persons, owners or occupants of any property within the Town are requested to voluntarily refrain from using Municipal Water from a hose, pipe, sprinkler, or permanent irrigation system for the purposes of:

- i. Watering lawns and gardens; and
- ii. Washing vehicles, sidewalks, patios, decks, windows, or driveways.

b) STAGE 2 - Outdoor Water Use Ban

No person, owner or occupant of any property within the Town shall use Municipal Water from a hose, pipe, sprinkler, or permanent irrigation system for the purposes of:

- i. Watering lawns and gardens; and
- ii. Washing vehicles, sidewalks, patios, decks, windows, or driveways.

c) STAGE 3 Outdoor Water Use Emergency

No person, owner or occupant of any property within the Town shall use Municipal Water from a hose, pipe, sprinkler, or permanent irrigation system for any outdoor purpose whatsoever.

PART 4 – GENERAL EXEMPTIONS FOR STANDARD LAWN WATERING RESTRICTIONS AND UNDER A STAGE 1 ADVISORY OR STAGE 2 OUTDOOR WATER USE BAN

- 1) Notwithstanding subsections Parts 2(1), 3(1a) and (1b) of this by-law, the following exemptions apply to Standard Lawn Watering Restrictions, a Stage 1 Advisory or a Stage 2 Outdoor Water Use Ban.
 - i) A person may water gardens, shrubs and trees using a hand-held container during the hours of 12:00 am to 9:00 am and 7:00 pm to 11:59 pm on any day of the week.
 - ii) A person may water new trees or shrubs during installation and for twenty-four (24) hours following planting. Any subsequent watering must comply with the provisions of this by-law.
 - iii) A person may water new sod or seed for up to thirty days (30) following the planting during the hours of 12:00 am to 9:00 am and 7:00 pm to 11:59 pm.
 - iv) A person may refill a backyard residential pool for maintaining the integrity of the filtering system during the hours of 12:00 am and 9:00 am and 7:00 pm and 11:59 pm.

PART 5 – EXEMPTED OPERATIONS UNDER A STAGE 2 OUTDOOR WATER USE BAN

- 1) Notwithstanding subsections Part 3(1a) and (1b) of this by-law, the provisions related to a Stage 2 Outdoor Water Use Ban do not apply to persons, owners, or occupants of property within the Town who own, operate or carry on the following operations, which rely on the steady supply and use of Municipal Water:
 - i) Nurseries;
 - ii) All weather playing fields, if failure to water will result in a permanent loss of plant material or adversely affect public safety;
 - iii) Washing exterior building surfaces, including windows, parking lots, driveways, or sidewalks prior to the application of a product such as paint, preservative, stucco, or the preparation of a surface prior to paving or rejoining bricks, or if required by law to comply with health and safety regulations;
 - iv) Commercial car washes and car dealerships;
 - v) Town operated recreational facilities;
 - vi) Commercial or industrial facilities utilizing timed irrigation systems will be permitted to operate between 12:00 am to 6:00 am on a once per week basis for no longer than two (2) hours continuously;
 - vii) Dust control on construction sites;
 - viii) Other users as identified by the Town from time to time.

PART 6 – ENFORCEMENT

- 1) Any person who contravenes any provision of this By-law is guilty of an offence and is liable upon conviction a penalty as provided for under the *Provincial Offences Act*.
- 2) In addition to all other sanctions and remedies provided in this by-law, the President and CEO of the Operating Authority or his or her designate and any Provincial Offences Officer may enter on private property and into structures at any reasonable time pursuant to S. 427 of the *Municipal Act, 2001*, s.o. 2001, to restrict the supply of water to any person, owner or occupant of the property who fails to abide by the restrictions set out in this by-law, and the Town may recover all costs of such entry and enforcement against the person, owner or occupant of the property by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

PART 7 – GENERAL PROVISIONS

- 1) This by-law shall be referred to as the “Outdoor Water Conservation By-law”
- 2) This by-law shall come into force and effect immediately following enactment.

PASSED THIS 27TH DAY OF JULY, 2016.



Gord Wauchope, Mayor



Lee Parkin, *KL* Alternate Deputy Clerk
Clerk

